

**To:** "Nepstad, Michael G SPK" [Michael.G.Nepstad@usace.army.mil]; N=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]  
**Cc:** []  
**Bcc:** []  
**From:** CN=Erin Foresman/OU=R9/O=USEPA/C=US  
**Sent:** Fri 10/19/2012 7:59:31 PM  
**Subject:** Re: latest on BDCP Purpose and Need (UNCLASSIFIED)

Hi Mike,

Thank you for this message and sending the previous letters so it's all in one spot. Do you know what exact language or sentences DWR is referring to when they say that these letters require leaving in the statement "as set forth in the Water Operations ..." in the proposed CWA Section 404 Overall Purpose statement for the Delta Conveyance? I'm thinking you'll find that out when you meet with them but just in case you know already, I thought I'd ask. It isn't clear to me when I reread the letters. I'm in the office next week, please get in touch to discuss this if I can either help with anything (e.g., I can pull together all the guidance that directs us not to identify the preferred project in the project purpose statement) or if you think the Corps is reconsidering eliminating that phrase from the overall project purpose statement.

Have a great weekend,

Erin

\*\*\*\*\*

Erin Foresman  
Environmental Scientist & Policy Coordinator,  
US EPA Region 9 C/O National Marine Fisheries Service  
650 Capitol Mall Suite 5-100, Sacramento, CA 95814  
Phone: (916) 930 3722

<http://www.epa.gov/sfbaydelta>

I work a part time schedule (M 7:30a - 4:00p, T - F 7:30 - 2:00p)

**From:** "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>  
**To:** Erin Foresman/R9/USEPA/US@EPA, Tom Hagler/R9/USEPA/US@EPA,  
**Date:** 10/19/2012 09:30 AM  
**Subject:** latest on BDCP Purpose and Need (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

DWR position is that the letters we wrote on P&N require that we leave in the statement on "as set forth in the Water Operations..." MJ and I will discuss on Thursday with them.

Michael G. Nepstad  
Deputy Chief, Regulatory Division  
US Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1350  
Sacramento, California 95814-2922

(916) 557-7262  
michael.g.nepstad@usace.army.mil

\* We want your feedback! Take the survey:  
<http://per2.nwp.usace.army.mil/survey.html>

\* Need information on the Regulatory Program? Visit our website:  
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

\* Facebook: [www.facebook.com/sacramentodistrict](http://www.facebook.com/sacramentodistrict)

\* YouTube: [www.youtube.com/sacramentodistrict](http://www.youtube.com/sacramentodistrict)

\* Twitter: [www.twitter.com/USACESacramento](http://www.twitter.com/USACESacramento)

Classification: UNCLASSIFIED  
Caveats: NONE

[attachment "BDCP Purpose and Need Leter from May 3, 2012.pdf" deleted by Erin Foresman/R9/USEPA/US]  
[attachment "Letter to Mark Cowin on BDCP Purpose Statements.pdf" deleted by Erin Foresman/R9/USEPA/US]  
[attachment "BDCP-Section 404-OPP-082212\_Corps response.docx" deleted by Erin Foresman/R9/USEPA/US]